

SULLIVAN CROMWELL ESQS.
ATTN: DAVID LIEBOV

U.S. DIST. COURT SOUTHERN/NY COUNTY

EDGAR BRONFMAN JR. plaintiff

Index No. 07CIV2875

- against -

VIVENDI, S.A. ("VIVENDI") ETAL defendant

STATE OF NEW YORK, COUNTY OF NEW YORK

MICHAEL C. LEVIEN being duly sworn, deposes and says:
 I am over 18 years of age, not a party to this action, and reside in the State of New York.

That on the 3rd day of May 2007 at 8:55 PM at
 300 Central Park West, Apt 2H New York, NY 10024

I served a true copy of the **Summons and Complaint**

Upon **THE BENEFIT EQUALIZATION PLAN OF VIVENDI, S.A.**
 The Defendant therein named, by delivering to, and leaving personally with:

**Sarah J. Frank, a member of the Human Resources Committee of Vivendi S.A.,
 which administers the Benefit Equalization Plan**

a true copy of each thereof.

Deponent describes the person served as aforesaid to the best of Deponent's ability at the time and circumstances of the aforesaid service as follows:

Sex: Female	Color: White	Hair: Brown
App. Age: 60 yrs.	App. Ht: 5'5"	App Wt: 125 lb

Sworn to before me this
 6th day of May 2007



Michael C. Levien
 The Arkin Group LLC
 590 Madison Avenue, 35th Floor
 New York, New York 10022



Notary Public

DEBRA S MILLER
 NOTARY PUBLIC STATE OF NEW YORK
 NO. 01M15066943
 QUALIFIED IN BRONX COUNTY
 COMMISSION EXPIRES: 10/7/2010